## EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

2. Authorization for this examiner's amendment was given in a telephone interview with Mr. Bangor on 12-30-8.

3. The application has been amended as follows:

**-Claims 23-25, 27, 42-44, 47, 63, 64, 67, 71, 73 had been canceled.**

**-Claim 1, line 4,**

"and a timing means" had been replaced with --- a GPS receiver and a timing means, and wherein each of said plurality of controller periodically receives coordinates of the geographic position of its respective locomotive from its respective GPS receiver----

-Claim 1, lines 10-11,

"and repeater comprising" had been replaced with --- a plurality of repeaters, wherein each of said plurality of repeaters has an address code and comprises---

-Claim 1, line 11,

"said repeater" had been replaced with --- each of said repeaters ---

-Claim 1, line 13,

"and retransmits said signal on said first half duplex wireless channel" had been replaced with --- ; and wherein each of said controllers uses said coordinates as a basis for choosing the address code of one of said plurality of repeaters to include in its polling signal to be sent over said second half duplex wireless channel---

-Claim 2, lines 1-2,

"said repeater has an address code and" had been replaced with ---each of said repeaters---

-Claim 2, line 2,

"said" had been replaced with --- its---

-Claim 3, lines 1-2,

"said repeater has an address code and" had been deleted

-Claim 3, line 2,

---of each repeater--- had been inserted after the word "microprocessor"

-Claim 3, line 3,

"said" had been replaced with --- its---

-Claim 4, line 1,

"said repeater" had been replaced with ---each of said repeaters.

-Claim 4, line 2,

"said" had been replaced with --- its---

-Claim 5, line 1,

"said repeater" had been replaced with --- each of said repeaters---

-Claim 6, line 1,

"said repeater" had been replaced with --- each of said repeaters---

-Claim 6, line 2,

The first and second occurrence of the word "said" had been replaced with --- its---

-Claim 7, line 1,

"said repeater" had been replaced with --- each of said repeaters---

-Claim 8, line 1,

"said repeater" had been replaced with --- each of said repeaters---

-Claim 9, line 1,

"said repeater has an address code and, " had been replaced with ---

each of said repeaters---

-Claim 9, line 2,

The first occurrence of the word "said" had been replaced with --- its---

-Claim 10, line 1,

"said repeater" had been replaced with --- each of said repeaters---

-Claim 10, line 2,

The first occurrence of the word "said" had been replaced with --- a---

-Claim 11, line 1,

"said repeater has an address code and, " had been replaced with ---

each of said repeaters---

-Claim 11, line 2,

“said" had been replaced with --- its---

-Claim 11, line 3,

“the repeater” had been replaced with the word ---it---

-Claim 12, line 2,

---for--- had been inserted after the word “slot”

-Claim 13, line 2,

“containing” had been deleted

-Claim 17, line 1,

"said repeater" had been replaced with --- each of said repeaters---

-Claim 17, line 3,

The second occurrence of the word "said" had been replaced with --- each of said repeaters---

-Claim 20, line 6,

--- , wherein each of said plurality of controllers periodically receives coordinates of the geographic position of its respective locomotive from its respective GPS receiver---

-Claim 20, line 9,

"and" had been deleted

-Claim 20, line 14,

--- , and wherein each of said controllers uses said coordinates as a basis for choosing the address code of one of said plurality of repeaters to include in its polling signal to be sent over said second half duplex wireless channel--- had been inserted after the word “code”

-Claim 26, line 1,

“20” had been replaced with ---25---

-Claim 38, lines 4-5,

"and a timing means" had been replaced with --- , GPS receiver and a timing means, wherein said controller periodically receives coordinates of the geographic position of its respective locomotive from its GPS receiver---

-Claim 38, line 10,

“and” had been deleted

-Claim 38, lines 12-13,

"transmits signals to said controllers and control units on said first half duplex wireless channel" had been replaced with -—wherein each of said controller uses said coordinates as a basis for choosing the address code of one of said plurality of repeaters to include in its polling signal to be sent over said second half duplex wireless channel---

-Claim 45, line 1,

"44" had been replaced with ---40---

4. The following is an examiner's statement of reasons for allowance:

Regarding claims 1-16, the prior art fails to teach a system for remotely controlling a plurality of locomotives via first and second half duplex wireless channels comprising: "each controller comprises a transmitter, a receiver, a GPS receiver and a timing means, and wherein each of said plurality of controllers periodically receives coordinates of the geographic position of its respective locomotive from its respective GPS receiver, a plurality of repeaters, wherein

each of said plurality of repeaters has an address code and comprises a transmitter, a receiver, and a microprocessor, wherein each of said repeaters receives a signal from one of said controllers and control units on said second half duplex wireless channel; and wherein each of said controllers uses said coordinates as a basis for choosing the address code of one of said plurality of repeaters to include in its polling signal to be sent over said second half duplex wireless channel," which is considered in combination with other limitations, as specified as, in the independent claim 1.

Regarding claims 20, 22, 26, 28-37, the prior art fails to teach a system for remotely controlling a plurality of locomotives within a geographic zone via first and second half duplex wireless channels comprising: "a GPS receiver operably connected to each controller, wherein each of said plurality of controllers periodically receives coordinates of the geographic position of its respective locomotive from its respective GPS receiver; a plurality of repeaters located within said geographic zone, wherein each of said repeaters has an address code and wherein each of said controllers uses said coordinates as a basis for choosing the address code of one of said plurality of repeaters to

include in its polling signal to be sent over said second half duplex wireless channel," which is considered in combination with other limitations, as specified as, in the independent claim 20.

Regarding claims 38-41, 45-46, 48-62, the prior art fails to teach a system for remotely controlling a plurality of locomotives within a geographic zone via first and second half duplex wireless channels comprising "a controller, for mounting onboard said locomotive, comprising a transmitter, a receiver, GPS receiver and a timing means, wherein said controller periodically receives coordinates of the geographic position of its respective locomotive from its GPS receiver; a plurality of repeaters wherein each repeater has a unique address and receives signals from said controllers and control units on said second half duplex wireless channel, and wherein each of said controllers uses said coordinates as a basis for choosing the address code of one of said plurality of repeaters to include in its polling signal to be sent over said second half duplex wireless channel," which is considered in combination with other limitations, as specified as, in the independent claim 38.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to PHUONGCHAU BA NGUYEN whose telephone number is (571)272-3148. The examiner can normally be reached on Monday-Friday from 8:30 a.m. to 5:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ricky Ngo can be reached on 571-272-3139. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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